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**SEALED**

JUDITH A. PHILIPS

**BY ORDER OF THE COURT**

Acting United States Attorney

District of Hawaii

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII (ea)  
Mar 17, 2021, 4:20 pm  
Michelle Rynne, Clerk of Court

CRAIG S. NOLAN

MICHAEL NAMMAR

Assistant United States Attorneys

Room 6-100, PJKK Federal Building

300 Ala Moana Boulevard

Honolulu, Hawaii 96850

Telephone: (808) 541-2850

Fax: (808) 541-2958

E-Mail: [Craig.Nolan@usdoj.gov](mailto:Craig.Nolan@usdoj.gov)

[Michael.Nammar@usdoj.gov](mailto:Michael.Nammar@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, )

CR. NO. CR 21-00034 DKW

Plaintiff, )

INDICTMENT

vs. )

[18 U.S.C. §§ 1001, 1343, and 1346]

WAYNE INOUE, )

Defendant. )

INDICTMENT

The Grand Jury charges:

Counts 1 - 6  
Honest Services Wire Fraud  
(18 U.S.C. §§ 1343 and 1346)

The Scheme to Defraud

1. In or about and between 2012 and October 2017, both dates being approximate and inclusive, within the District of Hawaii and elsewhere, WAYNE INOUE, the defendant, devised and intended to devise a scheme and artifice to defraud and deprive the citizens of the City and County of Honolulu and its Department of Planning and Permitting (“DPP”) of their rights to the honest and faithful services of INOUE, who was then employed by DPP as a Building Plans Examiner, through bribery and the concealment of material information.

2. The purpose of the scheme and artifice was for INOUE to secretly use his official position to enrich himself by soliciting and accepting gifts, payments, and other things of value in exchange for his provision of favorable official action to persons who paid him bribes.

3. The scheme and artifice was carried out by the following manner and means, among others:

a. From in or about September 2016 to in or about September 2017, INOUE solicited and accepted gifts, payments, and other things of value totaling at least \$89,205.81 from an architect and third-party reviewer (“Architect 1”). INOUE provided favorable official action on behalf of

Architect 1 as requested and as opportunities arose, including expediting approval of projects submitted for approval to DPP by Architect 1 ahead of projects previously submitted by others.

b. From in or about February 2012 to in or about August 2017, INOUE solicited and accepted gifts, payments, and other things of value totaling at least \$3,425.00 from a signage contractor ("Entity 1").

INOUE provided favorable official action on behalf of Entity 1 as requested and as opportunities arose, including expediting approval of projects submitted for approval to DPP by Entity 1 ahead of projects previously submitted by others.

c. From in or about April 2012 to in or about January 2016, INOUE solicited and accepted gifts, payments, and other things of value totaling at least \$9,685.00 from a building contractor ("Entity 2").

INOUE provided favorable official action on behalf of Entity 2 as requested and as opportunities arose, including expediting approval of projects submitted for approval to DPP by Entity 2 ahead of projects previously submitted by others.

d. From in or about February 2012 to in or about December 2012, INOUE solicited and accepted gifts, payments, and other things of value totaling at least \$1,825.00 from a signage contractor ("Entity 3"). INOUE

provided favorable official action on behalf of Entity 3 as requested and as opportunities arose, including expediting approval of projects submitted for approval to DPP by Entity 3 ahead of projects previously submitted by others.

e. INOUE took steps to hide, conceal, and cover up his activity and the nature and scope of his dealings with persons who paid him bribes, including by using a sole proprietorship named SKI and Associates, a personal cell phone, and in-person meetings at places other than DPP to carry out the scheme, and by his failure to inform DPP of the bribes received by him in exchange for expediting approval of projects submitted by persons who paid him bribes.

#### The Wire Communications

4. On or about the dates stated below, in the District of Hawaii and elsewhere, and for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, INOUE did knowingly transmit, and cause to be transmitted, certain writings, signs, signals, and sounds in interstate commerce, with each such wire communication constituting a separate count of this

Indictment:

COUNT	ON OR ABOUT	DESCRIPTION OF WIRE COMMUNICATION
1	9/12/2016	Wire communication by Defendant's bank for the clearing and payment of a check from Architect 1 to Defendant for \$12,583.08 deposited into Defendant's account
2	1/27/2017	Wire communication by Defendant's bank for the clearing and payment of a check from Architect 1 to Defendant for \$7,500.00 deposited into Defendant's account
3	9/1/2017	Wire communication by Defendant's bank for the clearing and payment of a check from Architect 1 to Defendant for \$7,500.00 deposited into Defendant's account
4	5/6/2016	Wire communication by Defendant's bank for the clearing and payment of a check from Entity 1 to Defendant for \$100.00 deposited into Defendant's account
5	9/12/2016	Wire communication by Defendant's bank for the clearing and payment of a check from Entity 1 to Defendant for \$150.00 deposited into Defendant's account
6	8/22/2017	Wire communication by Defendant's bank for the clearing and payment of a check from Entity 1 to Defendant for \$150.00 deposited into Defendant's account

All in violation of Title 18, United States Code, Sections 1343 and 1346.

Count 7  
False Statement  
(18U.S.C. § 1001)

5. On or about July 11, 2019, within the District of Hawaii, WAYNE INOUE, the defendant, did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by

stating to a Special Agent of the Federal Bureau of Investigation and an Assistant United States Attorney of the District of Hawaii that Architect 1 loaned INOUE approximately \$100,000.00 while INOUE was employed at the Department of Planning and Permitting of the City and County of Honolulu (“DPP”). The statement and representation were false because, as INOUE then and there knew, the money provided by Architect 1 to INOUE while employed at DPP constituted bribes in exchange for favorable official action in connection with the scheme and artifice charged in Counts 1 – 3.

All in violation of Title 18, United States Code, Section 1001.

Forfeiture Notice

6. The allegations set forth in paragraphs 1 – 6 of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

7. The United States hereby gives notice to Defendant that, upon conviction of the offenses charged in Counts 1 – 6 of this Indictment, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, constituting, or derived from, proceeds traceable to

the violation of Title 18, United States Code, Section 1343, alleged in this Indictment.

8. If by any act or omission of Defendant, any of the property subject to forfeiture described in paragraph 7 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

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the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 6, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

DATED: March 17, 2021, Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson

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FOREPERSON, GRAND JURY



JUDITH A. PHILIPS  
Acting United States Attorney  
District of Hawaii



CRAIG S. NOLAN  
MICHAEL NAMMAR  
Assistant U.S. Attorneys

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